



**"The City With a Heart"**

Rick Biasotti, *Chair*  
Perry Petersen, *Vice-Chair*  
Bob Marshall, Jr  
Mary Lou Johnson  
Kevin Chase  
Joe Sammut  
Sujendra Mishra

## **AGENDA**

### **PLANNING COMMISSION MEETING**

**March 4, 2014**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

Planning Commission meetings are conducted in accordance with Roberts Rules of Order Newly Revised. You may address any agenda item by approaching the microphone until recognized by the Planning Commission Chair. All regular Planning Commission meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the Community Development Department. Complete packets are available online at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) and at the library. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodation for this meeting should notify us 48 hours prior to meeting. Notices, agendas, and records for or otherwise distributed to the public at a meeting of the Planning Commission will be made available in appropriate alternative formats upon request by any person with a disability. Please make all requests to accommodate your disability to the Community Development Department 650-616-7074.

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIANCE**

#### **1. APPROVAL OF MINUTES: January 21, 2014**

#### **2. COMMUNICATIONS**

**3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Individuals allowed three minutes, groups in attendance, five minutes. If you are unable to remain at the meeting, ask the Recording Secretary to request that the Planning Commission consider your comments earlier. It is the Planning Commission's policy to refer matters raised in the forum to staff for investigation and/or action where appropriate. The Brown Act prohibit the Planning Commission from discussing or acting upon any matter not agendaized pursuant to State Law.

#### **4. ANNOUNCEMENT OF CONFLICT OF INTEREST**

#### **5. CONDUCT OF BUSINESS**

Receive report on the Housing Element Update for the 2014-2022 planning period and take public comment. Provide staff with feedback and direction in the preparation of the Housing Element Update. This is an informational meeting on the process to update the City's Housing Element and no action is required for this item.

#### **6. DISCUSSION**

##### **A. CITY STAFF DISCUSSION**

- Select the March 13, 2014 Architectural Review Committee members

## **B. PLANNING COMMISSION DISCUSSION**

- Appoint New Planning Commission Chair and Vice-Chair

## **7. ADJOURNMENT**

The next regular Planning Commission Meeting will be held on March 18, 2014 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, and San Bruno.



## **"The City With a Heart"**

---

Rick Biasotti, *Chair*  
Perry Petersen, *Vice Chair*  
Mary Lou Johnson  
Sujendra Mishra  
Kevin Chase  
Joe Sammut  
Bob Marshall, Jr.

### **MINUTES PLANNING COMMISSION MEETING**

**January 21, 2014**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:01 pm.**

#### **ROLL CALL**

	<u><b>Present</b></u>	<u><b>Absent</b></u>
<b>Chair Biasotti</b>	X	
<b>Vice Chair Petersen</b>	X	
<b>Commissioner Sammut</b>	X	
<b>Commissioner Marshall</b>	X	
<b>Commissioner Mishra</b>	X	
<b>Commissioner Chase</b>	X	
<b>Commissioner Johnson</b>	X	

#### **STAFF PRESENT:**

Planning Division: Community Development Director: David Woltering  
Associate Planner: Matt Neuebaumer  
Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Mishra

#### **1. Approval of Minutes – December 17, 2013**

**Motion to Approve Minutes of December 17, 2013 Planning Commission meeting.**

**Petersen/ Mishra**

VOTE: 7-0

AYES: Chair Biasotti, Vice Chair Petersen, Commissioners Marshall, Mishra, Chase, and Johnson.

NOES: None

ABSTAIN: Commissioner Sammut

#### **2. Communication - None.**

3. **Public Comment** – None.

4. **Announcement of Conflict of Interest** – Commissioner Petersen stated that he has a conflict for item 5.A.

## 5. Public Hearings

*Commissioner Petersen recused himself.*

### A. 131 Serra Court

**Request for a Use Permit to allow the construction of an addition which increases the gross floor area of the existing home by greater than 50% (64%), exceeds the .55 FAR guideline (.57), to construct a second story addition with transparent windows adjacent to an abutting property that has a side yard greater than 10 feet, and to exceed 2,800 square feet of living area while only providing two covered parking spaces where three spaces are required per Sections 12.200.030.B.1, 12.200.030.B.2 12.200.040.B.1, and 12.200.080.A.3, respectively, of the San Bruno Municipal Code. Milan Gill (Applicant) & Connie Buchanan (Owner) UP-13-018.**

*Associate Planner Neuebaumer:* Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 13-018 based on Findings of Fact 1-6 and Conditions of Approval 1-26.

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Johnson:* The plans indicate a certain portions of the home using siding and other areas using stucco. Was this discussed at the Architectural Review Committee meeting?

*Associate Planner Neuebaumer:* Yes, it was discussed. Staff recommended stucco be used for a portion of the second story. The Architectural Review Committee felt strongly that the board and batten siding would match the existing home better.

*Steve; Applicant:* My mother, Connie Buchanan, owns the home. My family, which includes my wife and four daughters and myself will be moving into the home shortly. My mother's husband recently passed away and she has never lived on her own. We have explored many options such as finding a new home outside of San Bruno. I grew up in that house and feel it would be better to add on to the existing home. We are proposing the addition to accommodate our family. I am available for any questions.

*Chair Biasotti* asked if there were any questions for the applicant.

None.

Public Comment Opened.

*Bill Giusti; Resident:* I have some written concerns from both myself and some neighbors in the area. There is already a parking overflow in the neighborhood due to the homes currently under construction and the limo business being run out of the home on Parkview Drive. Secondly, the proposed north-side second story windows will have a view into my bedroom and living room. I would like to add a condition of approval that they use translucent windows. Lastly, the Planning Commission recently approved an addition on Parkview Court. This monster house is more invasive than imagined. How many more monster houses is this City going to allow in a residential neighborhood that is not designed for the impact it will cause? There are many neighbors in the area that agree with the issues I have brought to your attention.

Perry Petersen re-enters the room as a member of the public.

*Perry Petersen; Resident:* I have not spoken with anyone in the neighborhood who is not in favor of home improvements. The difficulty with this proposal is that it is a large project on a constrained area. It seems to be part of a general increase in intensity in the Parkview area. The gross floor area is one of the largest in the area at 3,359. The zoning FAR is .55, this project is for .57, which is four percent larger than the threshold. A cul-de-sac has much less parking than a straight street.

*Perry Petersen gave PowerPoint presentation on the cul-de-sac parking vs. straight street parking.*

I also wanted to mention that the staff report comparison with the home on Parkview Drive is based on a larger lot size, which makes this project much larger on a smaller lot. The proposed project is also not conforming to the onsite parking. The project should either include a three car garage or reduce the amount of living area. Lastly, there are 7 bedrooms and a media room, this is a large increase in intensity of the use over the 2 or 3 bedroom original home. This project is too large for the site and needs either less floor area or more parking or both.

Perry Petersen left the room.

*Tony Pantaleoni; Architect:* I would like to clarify there are six bedrooms and a media room, not eight. The FAR exceeds the .55 by .2 not .4, and I will note the driveway can fit three cars parked on site in addition to the two car garage. Lastly, the addition is set back twenty-two feet and does not create a massive block wall at the front elevation. I hope you support the project, I am available for any questions.

*Commissioner Johnson:* As a commissioner I want to make the best decision for the community. Can you please provide an explanation as to why you are exceeding the FAR?

*Tony Pantaleoni; Architect:* The existing rooms are very small so there is a need for space. The media room may not be a necessity, however, it is their improvement to the quality of life. We did our best to condense the amount of square footage added to the property.

*Commissioner Johnson:* Can you tell me about the privacy of the windows?

*Tony Pantaleoni; Architect:* I am not familiar with where the neighbor is located. We are more than willing to work with the neighbors and use frosted windows. I understand that privacy is a concern. Many of the window sills are five feet from the floor, which makes it hard to view downward.

*Commissioner Johnson:* Did you work with any neighbors on the design of the project?

*Tony Pantaleoni; Architect:* We did discuss the project with our immediate neighbors.

*Connie Buchanan; Applicant:* The neighbor concerned with the windows is located one court down from us. I did speak with my neighbors about the project and they were very supportive. I would like to mention that we do park two cars in the garage and the driveway will hold three additional cars. There is plenty of on-site parking.

*Bill Giusti; Resident:* From my deck I can see their basketball court area and their roof line. The new windows will be above the roof line and viewing into my family and bedroom.

*Commissioner Marshall:* If this were a smaller addition the application would not need review by the Planning Commission. Therefore, the windows would be in the same location. I do not agree with the applicant having to use frosted windows.

Public Comment Closed.

*Commissioner Marshall:* I know many of the residents on this court and none of them have voiced complaints about the home improvements.



*Commissioner Mishra:* I would not recommend the frosted windows. If the Commission votes in favor of frosted windows on this project, we will then receive the same requests by the public for all projects. I do not want to see San Bruno going down a path of all homes having frosted windows. Frosted windows are great on bathrooms and that is it. The pictures of the home on Parkview Court in Mr. Petersen's presentation were taken during construction. Typically, whether there is construction or a party going on, this is what we will see in terms of parking. The third point I wanted to make is there seems to be adequate parking on-site.

*Commissioner Sammut:* When I review an application of this sort, I look at how the proposal affects the setbacks. In this case the setbacks are not affected. The existing footprint is going to stay the same. I also do not see that parking will be an issue as well. Many of the complaints heard here tonight have no relation to the proposed project on this particular court.

*Commissioner Johnson:* I agree with Commissioner Sammut's comments.

**Motion to approve Use Permit 13-018 based on Findings of Fact (1-6) and Conditions of Approval (1-26).**

**Commissioner Sammut/ Mishra**

VOTE: 6-0  
 AYES: All Commissioners Present.  
 NOES: None  
 ABSTAIN: None

**Chair Biasotti advised of a 10-day appeal period.**

*Commissioner Johnson:* I want to convey to the owners that in the past I have observed that proper discussions and communication helps mitigate situations with neighbors.

**FINDINGS OF FACT**

1. Will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use. (SBMC 12.112.050.B.1)
2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)
3. That the proposed development is consistent with the general plan. (SBMC 12.108.040.H)
4. That the proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood. (SBMC 12.108.040.D)
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood. (SBMC 12.108.040.G)
6. That any proposed single-family or two-family dwelling conforms to the basic design principles of the

residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I)

## **CONDITIONS OF APPROVAL**

### **Community Development**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 13-018 shall not be valid for any purpose. Use Permit 13-018 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit shall be built according to plans approved by the Planning Commission on January 21, 2014 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaping according to the plans approved by the Planning Commission on January 21, 2014 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. FAA notification and approval is required prior to building permit issuance.
11. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's

consideration and/or approval of the developer's application for development.

### **Public Services Department**

12. If the project results in more than 2,500 square feet of new or replaced impervious surfaces, the applicant shall incorporate one of the required C.3.i site design measures as required by the Municipal Regional Permit at the time of building permit submittal.
13. Please note that the front property line is located 5.5 feet behind the sidewalk along Serra Court. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from back of sidewalk along Serra Court. S.B.M.C. 8.08.010.
14. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2013.
15. An Encroachment Permit from Public Services Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
16. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
17. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Serra Court per S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
18. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-02 dated August 2011. Older clean outs not meeting current city standards shall be replaced.
19. Paint address number on face of curb near driveway approach. Lettering shall be black, 4 inches or larger, and painted on a white background. Indicate the location of the address numbers on the site plan.
20. An Erosion control plan and storm water pollution prevention plan required. The plan must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
21. Storm water from new roof down spouts and other on-site drainage, shall be drained into landscaping. Alternatively, stormwater shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail ST-03.
22. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020



23. Perform water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing water meter is sufficient to serve proposed water demand. If existing meter is undersized, a larger meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter and lateral. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.

#### **Fire Department**

24. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
25. Provide hard-wired smoke detectors with battery backup as required by building code.
26. Provide spark arrester for chimney if not currently in place.

*Commissioner Petersen rejoined the Commission.*

#### **B. 851 Cherry Avenue #18**

**Request for a Use Permit to allow alcohol beverage sales in conjunction with a restaurant per Chapters 12.84.210 and 12.96.190(c) of the San Bruno Zoning Ordinance. Maher Fakhouri (Applicant) Regency Centers (Owner) UP-13-019.**

*Associate Planner Neuebaumer:* Entered staff report. Made typo corrections to condition of approval # 5. Staff recommends that the Planning Commission approve Use Permit 13-019 based on Findings of Fact 1-5 and Conditions of Approval 1-14.

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Marshall:* Do the City limit all business hours till 10:00 p.m.?

*Associate Planner Neuebaumer:* No, we do not limit the hours of operation for all businesses. However, with this type of proposal, we typically will limit the hours of operation. The applicant proposed the hours of operation, which were reviewed by the Police Department. In the event the business owner wants to change the hours, they would file a request with Community Development Department and Police Department.

*Commissioner Marshall:* Is this a Bayhill Shopping Center rule? I would disagree to place hour restrictions on a new business.

*Associate Planner Neuebaumer:* The hours of operation were proposed by the business owner.

*Commissioner Johnson:* Can you clarify the hours of operation?

*Associate Planner Neuebaumer:* The hours of operation are Sunday through Thursday 8:00 A.M. to 10:00 P.M., Friday and Saturday 8:00 A.M. to 11:00 P.M.

*Commissioner Mishra:* Condition of Approval #8, is there a requirement for how much storage is required?

*Associate Planner Neuebaumer:* No, however, they will be utilizing the garbage containers located to the rear of the restaurant.

Public Comment Opened.

*Maher Fakhouri; Applicant:* I am one of the business owners. We also own other restaurants in the peninsula. We do serve alcoholic beverages at all of the locations. The proposal is for a Mexican restaurant and will serve breakfast, lunch and dinner. We selected the hours of operation to best fit our needs. If we feel the need to change our hours in the future, we will correspond with the city. I am available to answer any questions you may have.

*Chair Biasotti* asked if there were any questions for the applicant.

*Chair Biasotti:* Is this a beer and wine license or full ABC license application?

*Maher Fakhouri; Applicant:* It is a full liquor license request.

*Commissioner Marshall:* What is the name of the restaurant?

*Maher Fakhouri; Applicant:* The restaurant name is Nueve.

Public Comment Closed.

**Motion to approve Use Permit 13-019 based on Findings of Fact (1-5) and Conditions of Approval (1-14).**

**Commissioner Johnson/ Mishra**

VOTE:	7-0
AYES:	All Commissioners Present.
NOES:	None
ABSTAIN:	None

**Chair Biasotti advised of a 10-day appeal period.**

**FINDINGS OF FACT**

1. The activity or use does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area. (SBMC 12.84.210.B.1)
2. The activity or use does not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, including but not limited to criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests. (SBMC 12.84.210.B.2)
3. The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute. (SBMC 12.84.210.B.3)
4. The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood. (SBMC 12.84.210.B.4)
5. The applicant for a liquor license receives a Letter of Public Convenience or Necessity issued by the City of San Bruno for an application which would tend to create a law enforcement problem, or if issuance would result in or add to an "Undue Concentration" of licenses, required due to either of the following conditions:
  - a. The applicant premises are located in a crime reporting district that has a 20% greater

number of reported crimes in a geographical area within the boundaries of the city than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the San Bruno Police Department that are identified by the department in the compilation and maintenance of statistical information on reported crimes and arrests. (SBMC 12.84.210.5.a)

- b. The applicant premises are located in an area of Undue Concentration, which is defined to exist when an original application or premises-to-premises application is made for a retail on-sale license in a census tract where the ratio of existing on-sale retail licenses to population in the census tract exceeds or will exceed the ratio of retail on-sale licenses to population in San Mateo County. (SBMC 12.84.210.5.b)

## **CONDITIONS OF APPROVAL**

### **Community Development**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary Hearing to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 13-019, shall not be valid for any purpose. Use Permit 13-019 shall expire one (1) year from the date of approval unless the plan is executed.
2. Use Permit 13-019 shall be built and operated by the owner and any successor in interest, according to plans approved by the Planning Commission on January 21, 2013 labeled Exhibits C and D, except as required to be modified by these Conditions of Approval. Any modification to the approved plans or any deviation or change in the business activities shall require prior approval by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
3. Prior to Final Inspection of the tenant improvements, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
4. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, and rear of the building.
5. The hours of operation shall be limited to 8:00 a.m. until 10:00 p.m. Sunday – Thursday, and 8:00 am until 11:00 pm on Friday and Saturday. Any changes from the hours of operation shall require prior authorization of the Community Development Director. Any change that results in a later closing time shall also require review by the Police Department.
6. The applicant or property owner will clean graffiti on the property and/or paint over it within 24 hours of its appearance. This condition also gives the City of San Bruno consent to have the graffiti painted out for the applicant. If the graffiti is not removed within 24 hours, the City's graffiti removal vendor will be instructed to remove the graffiti and provide a detailed accounting of the cost to the property owner, who will be responsible for reimbursing the City for the graffiti removal.
7. The Community Development Director may call this back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval.
8. The restaurant operator shall ensure that garbage and recyclables are properly stored inside the appropriate garbage enclosure.
9. All signs shall be approved by the Planning Division under a separate application and must comply

with Fire Department Conditions of Approval. Signs shall be installed prior to Final Inspection.

10. The applicant shall provide the signed copy of the Summary of Hearing to the Alcohol, Beverage and Control Board (ABC). The signed summary of hearing will serve as the Letter of Public Convenience of Necessity as required by ABC.

### **Police Department**

11. Address numbers for the business are to be visible on a contrasting background, easily visible from the street. The address numbers for the business also must be visible at night.
12. Adequate lighting of the grounds contiguous to the building and of sufficient wattage shall be provided to make clearly visible the presence of any person on or about the premises during the hours of darkness and to ensure a safe and secure environment for all persons and property on site.
13. The applicant shall comply with all Alcohol and Beverage Control requirements.
14. The applicant is responsible for providing emergency contact information to the Police Department for after hour's emergencies.

### **7. Discussion**

- A. City Staff Discussion:** Commissioners Biasotti, Sammut, and Marshall volunteered for the February 13, 2014 Architectural Review Committee meeting.

CDD Director Woltering: We will place the re-organization of the Planning Commission on the agenda for the next meeting in February.

- B. Planning Commission Discussion:**

Chair Biasotti: David, can you email me the approved set of plans for the 160 Parkview Court project?

CDD Director Woltering: Sure, I can provide the plans to all of you.

Chair Biasotti: Lastly, I would like to congratulate Luca Miranda, Building Inspector, on his retirement.

Commissioner Mishra: The limo business mentioned in the first agenda item, is that a permitted business?

CDD Director Woltering: We will need to look into that and report back to you.

### **8. Adjournment**

Meeting was adjourned at 7:47 pm

---

**David Woltering**

Secretary to the Planning Commission  
City of San Bruno

---

**Rick Biasotti, Chair**

Planning Commission  
City of San Bruno

**NEXT MEETING: February 18, 2014**





567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
[www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

**STAFF**

David Woltering, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Long Range Planning Manager*  
Laura Russell, AICP, *Senior Planner*  
Matt Neuebaumer, *Associate Planner*  
William Chui, *Contract Assistant Planner*  
Marc Zafferano, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Perry Petersen, *Vice Chair*  
Mary Lou Johnson  
Kevin Chase  
Bob Marshall Jr.  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. 5  
March 4, 2014**

**REQUEST**

Receive report on the Housing Element Update for the 2014-2022 planning period and take public comment. Provide staff with feedback and direction in the preparation of the Housing Element Update. This is an informational meeting and no action is required for this item.

**EXHIBITS**

- A: Housing Element Update Winter Newsletter  
B: Current Housing Element (2007-2014) available on the City website at:  
[http://www.sanbruno.ca.gov/comdev\\_HousingElementUpdate.html](http://www.sanbruno.ca.gov/comdev_HousingElementUpdate.html)

**LEGAL NOTICE**

1. Advertisement published in the San Mateo Daily Journal, Saturday, February 22, 2014.
2. Other noticing: City website, City email list, posting at city hall, San Bruno Cable TV

**ENVIRONMENTAL ASSESSMENT**

To comply with the California Environmental Quality Act (CEQA) an Initial Study will be prepared to determine if the revised Housing Element might lead to an adverse impact on the environment. It is anticipated that minimal environment documentation will be required, such as a Negative Declaration, because program-level Environmental Impact Reports were completed and certified for the 2009 General Plan and 2013 Transit Corridors Plan that cover the activities of the revised Housing Element.

**BACKGROUND**

The purpose of this meeting is to inform the Planning Commission and the public about the update of the City's Housing Element for the upcoming 2014-2022 planning period and accomplishments of the prior 2007-2014 period. This is primarily an informational meeting where the Planning Commission and the public can learn about the Housing Element update process, important topics covered in the element, and the schedule for its completion. Most importantly, the meeting provides an opportunity for Planning Commissioners and the public to provide input regarding the City's plan to meet San Bruno's housing needs over the next eight years.

**Why update the Housing Element?**

San Bruno's current Housing Element covering the planning period from 2007 through 2014 was adopted by the City Council 2010 and certified by the California Department of Housing and Community Development (HCD). State law requires the City to update the Housing Element for the next planning

period by January 30, 2015, subject to detailed statutory requirements and mandatory review by HCD. Housing elements have been mandatory portions of General Plans since 1969. This reflects the statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between government and the private sector is critical to attainment of the State's housing goals. The regulation of the housing supply through planning and zoning powers affects the State's ability to achieve its housing goal of "decent housing and a suitable living environment for every California family" and is critical to the State's long-term economic competitiveness.

### **What is in the Housing Element?**

State law requires the Housing Element to address all of the following topics:

- **Housing Needs Assessment:** Evaluate existing and future housing needs, including population and employment trends; household and housing stock characteristics; assisted housing and potential risk of conversion to market rates; households overpaying for housing; housing that needs rehabilitation; special housing needs (e.g., the elderly, large families, people with disabilities, homeless); and energy conservation. Future needs includes the City's fair share of the regional housing need as established in the Regional Housing Needs Allocation (RHNA).
- **Housing Constraints and Resources:** The Element must describe governmental and non-governmental constraints to housing development and evaluate programs to reduce or mitigate them. Governmental constraints include land-use controls, parking requirements, fees and exactions, on- and off-site improvement requirements, building codes, permit and processing procedures, and potential constraints on the development or improvement of housing for persons with disabilities
- **Land Inventory and Quantified Objectives:** A detailed site inventory and quantified objectives that estimate the maximum number of housing units, by income level, to be constructed, rehabilitated or conserved over the planning period. If the analysis does not demonstrate adequate sites appropriately zoned to meet the jurisdiction's share of the regional housing need by income level, the element must include a program to provide the needed sites including providing zoning that allows owner-occupied and rental multifamily uses.
- **Goals, Programs, and Implementation Actions for 2014-2022:** The City must plan to meet the existing and projected housing needs, including the share of the regional housing need through revised goals, programs, implementation actions, and deadlines for completion. Many of the basic housing policies from the previous document will be carried over with some minor changes.
- **Program Accomplishments:** Evaluates the accomplishments during the last Housing Element cycle

### **DISCUSSION**

When updating the Housing Element it is important to note that the existing Element will be used as a base; there is no need to create a new base. Many of the components of the existing Housing Element will only require general updates not complete revisions. This also allows the community to evaluate how the plan contributed to meeting housing demand and needs and what revisions might be necessary to continue or ensure greater success. The approach will be to keep what works and change what doesn't. The first step is to review the City's accomplishments with respect to housing development and complete any implementation actions required in the current Housing Element. The City will facilitate public participation and maintain effective engagement throughout the revision and adoption process.

### **What have we accomplished?**

San Bruno's accomplishments in implementing the current Housing Element (2007-2014) include the following:

- 736 new housing units have been completed or are under construction to meet the City's share of regional housing needs.
- Adopted the Residential Design Guidelines (2010), which improve the quality of the design of residential alterations, additions, and new construction. The guidelines help residents understand the community's expectations and guide them towards meeting those expectations, as well as guide the Planning Commission and staff to review and approve residential projects.
- The City Council identified the General Plan TOD (Transit Oriented Development) land use classification as the appropriate location for emergency shelter facilities by right (as a permitted use, without requiring a conditional use permit), subject to reasonable and objective standards, as required by SB-2.
- Adoption of the Transit Corridors Plan (2013), which creates the opportunity for 1,610 housing units in proximity to the new San Bruno Avenue Caltrain as well as design guidelines to promote high quality mixed use development.
- Substantial progress has been made in the comprehensive update of the City's Zoning Code, which began in 2010.
- The City provides annual funding to support three affordable housing providers, including HIP Housing, Shelter Network and North Peninsula Neighborhood Services Center.
- The City has collected over \$4.0 million in fees for affordable housing through the Below Market Rate Housing (BMR) Program.

### **What else needs to be done?**

In order for the Housing Element Update to qualify for Streamlined Review by HCD, the City current Housing Element must be in compliance with State housing law. In order to achieve compliance, the City must implement four Housing Element programs involving amendments to the Zoning Code:

- Program 3-F. Amend the Zoning Ordinance to include a written reasonable accommodations procedure to provide exceptions in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with minimal or no processing fee, subject to approval by the Community Development Director.
- Program 5-B. Amend the Zoning Ordinance to include provisions for density bonuses for residential developments, including a bonus of up to 35 percent based on the number of affordable units in the development and a flat density bonus of 20 percent for all senior housing. The provisions must also define incentives and concessions to zoning standards such as reductions in parking, open space, setbacks, etc. to facilitate the housing development.
- Program 6-D. Amend the Zoning Ordinance to permit emergency shelter facilities by right (that is, as a permitted use, without requiring a conditional use permit) in the TOD zone to accommodate the City's share of emergency shelter need, subject to reasonable and objective standards permissible by law.



- Program 6-E. Amend the Zoning Ordinance to permit transitional and supportive housing by right in residential zones and facilitate the creation of supportive housing units in accordance with the City's share of countywide need identified in the San Mateo County HOPE (Housing Our People Effectively) Plan.

### **"Fair Share" of Regional Housing Needs**

The Housing Element update process begins with HCD allocating a region's share of the statewide housing need for the 2014-2022 planning period to Councils of Governments (COG), in this case, the Association of Bay Area Governments (ABAG), based on population projections. ABAG then assigns a "fair share" of regional housing needs to the cities and counties within the region through the RHNA process. The allocation establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the housing element. San Bruno's RHNA number is 1,155 units, including a distribution by income category, described in more detail below.

The RHNA provides a benchmark for evaluating the adequacy of local zoning and regulatory actions to ensure each local government is providing sufficient appropriately designated land and opportunities for housing development to address population growth and job generation. There is no obligation to build all of the units in the identified as the City's "fair share"; however, State Housing law requires local governments to ensure that projected housing needs can be accommodated. The process maintains local control over where and what type of development should occur in local communities while providing the opportunity for the private sector to meet market demand.

### **What has changed?**

San Bruno is participating in 21 Elements, a consortium of all the cities in San Mateo County and the County, led by the San Mateo County City and County Association of Governments (C/CAG), to prepare the City's Housing Element. The 21 Elements process was used for the formulation of the RHNA numbers for all 20 cities in San Mateo County and County itself. 21 Elements will play a large role in the preparation of the Housing Element Update and coordinating with HCD. HCD has endorsed this approach, which will result in a more efficient and streamlined review process.

San Bruno's RHNA requires the City to ensure there is land available for a total of 1,155 new housing units from 2014 through 2022. The total number of housing units and the distribution by income category is shown in the table below (incomes in the table below are for a family of four).

**City of San Bruno RHNA (2014-2022)**

<b>Income Category</b>	<b>Income Range (family of 4)</b>	<b>Units</b>
Extremely Low Income	Up to \$31,650	179
Very Low Income	\$31,651-\$52,750	179
Low Income	\$52,751-\$84,400	161
Moderate Income	\$84,401-\$123,600	205
Above Moderate Income	\$123,601+	431
<b>Total</b>		<b>1,155</b>

A number of recent changes in State Housing Element Law also affect the Housing Element update process. For example, the City can qualify for Streamlined Review by HCD if the current Housing Element is in compliance with State law. As described earlier, the City needs to amend the zoning code in four areas to achieve compliance. State Housing law has also established a new eight-year planning period for cities that adopt their Housing Elements on time, by January 31, 2015. Housing Elements that are adopted on time will not need to be revised until December 2022. There is a 120-day grace period, so jurisdictions technically have until May 2015 before facing a penalty. Jurisdictions that do not adopt their Housing Element on time are required to update their Housing Element every four years.

A new provision of State housing law requires the housing needs section to include analysis of the special housing needs of people with development disabilities. Development disability is defined as a severe and chronic disability that is attributable to a mental or physical impairment, which began before the person's 18th birthday, can be expected to continue indefinitely, and presents a substantial disability. This includes mental retardation, autism, epilepsy, etc.

The Plan Bay Area (2013) has implications for land use planning throughout the San Francisco Bay Area. Plan Bay Area is a long-range integrated transportation and land use/housing strategy through 2040. The Plan includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan. The Plan is designed to meet the requirements of California's landmark 2008 Senate Bill 375 (SB-375), which calls for developing a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks.

The dissolution of all redevelopment agencies in California in 2012 has had severe impact on development of affordable housing by eliminating the most significant source of funding for affordable housing throughout the state. Property tax increment generated from the San Bruno Redevelopment Project Area was the City's main source of funding for development of 325 units affordable to very low income households and seniors at The Crossing in San Bruno.

In conclusion, City staff has started the preparation of the Housing Element update and will incorporate input from the Planning Commission and the public in the revised element. Staff will present the draft Housing Element Update for review and comment by the Planning Commission and the public in late May or June.

Date of Preparation: February 28, 2014  
Prepared by: Mark Sullivan, Long-Range Planning Manager





Winter 2014

# Housing Element Update

The San Bruno Housing Element is one of the sections (or elements) of the City of San Bruno General Plan. It contains background information assessing housing needs in your community and sets forth goals, policies and implementing programs to address community needs.

## Help Us Improve on the Successes of the San Bruno Housing Element

Since the adoption of the City's current Housing Element in 2010, the City has continued its implementation through the San Bruno Transit Corridors Plan (adopted in 2013) that supports mixed use (housing with commercial uses) and transit-oriented development. In addition, the City has undertaken amendments to the zoning code to support housing goals and address housing needs in the community. Success in addressing housing needs has also been accomplished through new construction — Crossing San Bruno, a master planned community with a total of 1,063 multifamily housing units in five buildings, includes 228 affordable senior apartments and 97 deed-restricted units affordable to very low income households. The project started in 2002 and the last two buildings, containing 350 housing units, were completed in 2011 during the current housing element cycle.

## San Bruno Transit Corridors Plan Vision

The San Bruno Transit Corridors Plan creates a bold new vision for mixed use development surrounding the future San Bruno Avenue Caltrain station, emphasizing a mix of residential and commercial uses that will promote walkability, transit use and economic development. The Plan calls for preservation of San Mateo Avenue's "main



**Planning Commission  
Workshop on the  
City of San Bruno  
Housing Element Update**

**March 4, 2014 — 7:00 p.m.**

**Senior Center  
1555 Crystal Springs Road  
San Bruno, CA 94066**

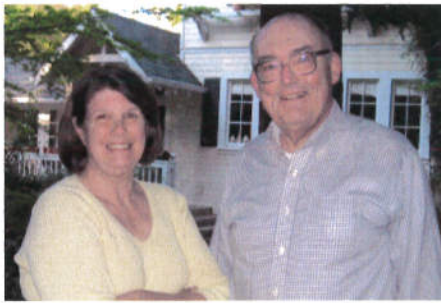
Your involvement in the 2014-2022 Housing Element Update is important. You can learn more and keep informed by going to the City's website at [www.sanbruno.ca.gov/comdev/HousingElementUpdate.html](http://www.sanbruno.ca.gov/comdev/HousingElementUpdate.html)

**Si usted necesita más información sobre este proyecto, por favor llame al (650) 616-7053, y pregunte por un asistente que hable español.**

street" character, while creating a more vibrant Downtown through targeted enhancement of commercial uses, the addition of new housing and streetscape improvements. For more information, please visit the City's website at <http://planbruno.org/transit-corridors-plan/overview/>



## Need for Affordable Housing



Due to high housing costs in San Mateo County, many families spend more than the recommended 30 percent of their income on housing. More than half the San Bruno residents making under \$75,000 annually are overpaying

for housing. Almost all of the lowest income renters, those making under \$35,000, are overpaying on rent. These high costs are a particular burden for seniors, young families and lower income workers or others with special needs. People paying more than 50 percent of their income are especially vulnerable to housing displacement.

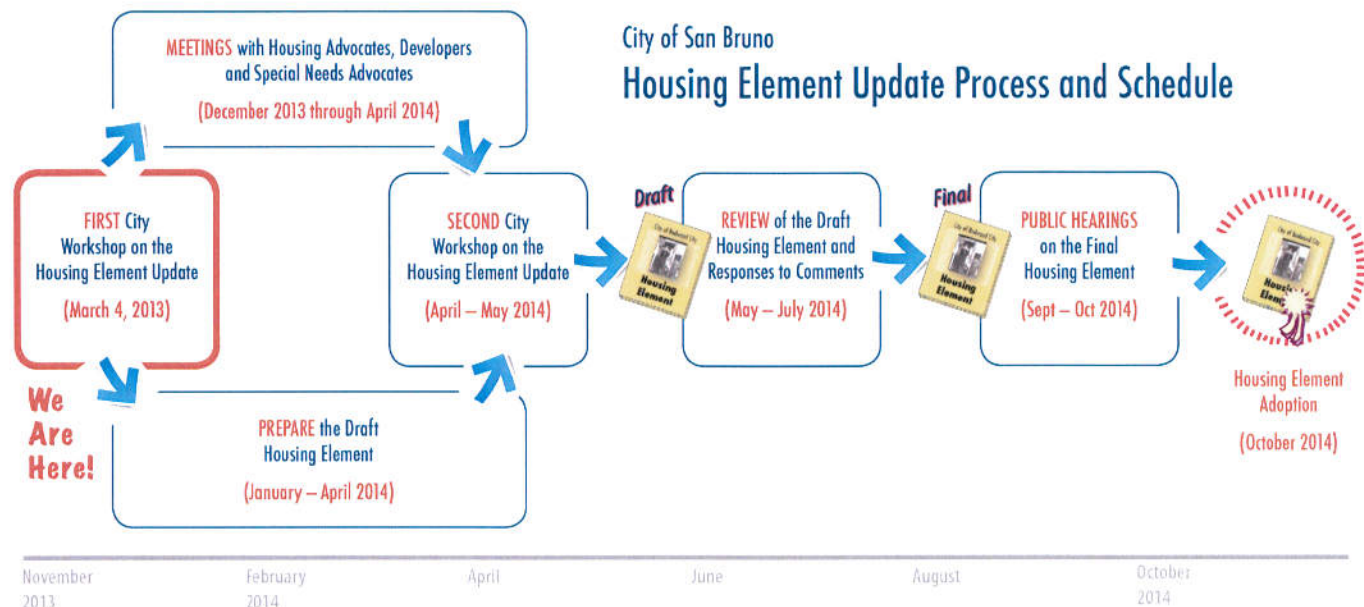
The tables on the next page illustrate salaries of various local jobs and average rents and sales prices in San Bruno in 2013. Between 2014 and 2022, San Bruno is required by State law to provide the opportunity for a total of 1,155 housing units to be built and affordable at the income levels listed in the last table. These numbers were derived through a process involving all 21 jurisdictions in San Mateo County and is referred to as the City's Regional Housing Needs Allocation (RHNA) for the 2014-2022 Housing Element planning period.

Adequate workforce housing is often an important consideration for local businesses as well. So having quality, affordable housing choices for all members of the community is crucial to the well-being of San Bruno's residents and to the local economy.

### SAN BRUNO SNAPSHOT

San Bruno	County
Population (2013)	
<b>42,828</b>	735,678
Housing Units (2013)	
<b>15,717</b>	272,477
Vacancy Rate (2013)	
<b>4.3%</b>	4.9%
Persons Per Household (2013)	
<b>2.80</b>	2.80
Local Jobs (2010)	
<b>12,710</b>	345,200
Projected Local Jobs (2040)	
<b>16,950</b>	445,080
Projected Households (2040)	
<b>19,170</b>	315,090
Projected Housing Units (2040)	
<b>19,820</b>	326,070
Projected Population (2040)	
<b>n/a</b>	904,430

Source: California Department of Finance Estimates (January 2013) and Draft Plan Bay Area Final Forecast of Jobs, Population and Housing (July 2013)





## WHAT CAN RESIDENTS AFFORD?

The amount that residents can afford to spend on housing depends on their income. Specifically, federal guidelines suggest that people not spend more than 30 percent of their earnings on rent or mortgage, including utilities.

The table to the right illustrates what is a monthly affordable housing payment for different employed residents in the Bay Area based on their incomes.



## Representative Salaries

Source: U.S. Dept of Labor

## Gross Annual Income

## Affordable Monthly Housing Cost

### SINGLE WAGE EARNER

Senior on Social Security	\$15,000	\$375
Minimum Wage Earner	\$16,640	\$416
Paralegal	\$60,000	\$1,500
Elementary School Teacher	\$79,000	\$1,975
Software Engineer	\$90,000	\$2,250
Biochemist	\$106,000	\$2,650
Associate Attorney	\$185,000	\$4,625

### TWO WAGE EARNERS

Minimum Wage Earner and Software Engineer	\$106,640	\$2,666
Biochemist and Paralegal	\$166,000	\$3,900

## AVERAGE RENTS 2013

	San Bruno		San Mateo County	
	REALFACTS	CRAIGSLIST	REALFACTS	CRAIGSLIST
Studio	\$1,428	\$1,229	\$1,463	\$1,429
One Bedroom	\$2,240	\$2,102	\$2,004	\$1,990
Two Bedroom	\$1,938	\$2,514	\$2,285	\$2,660
Three Bedroom	\$3,014	\$4,608	\$3,400	\$3,758

## MEDIAN HOME SALES PRICES 2013

	San Bruno 3rd Q 2013	San Mateo County 3rd Q 2013
Single Family Residential	\$710,000	\$936,500
Townhome/Condominium	\$278,500	\$550,000

Source: Craigslist rental survey conducted in June and July of 2013. RealFacts rents for 2013. Source for sales prices is the San Mateo County Association of Realtors (SAMCAR) for the 3rd Quarter of 2013.

## 2014-2022 REGIONAL HOUSING NEEDS ALLOCATION FOR SAN BRUNO

	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Units	Total
Units	179	179	161	205	431	1,155
Income*	\$27,150	\$45,250	\$72,400	\$98,900	\$98,900+	

\*MAXIMUM INCOME FOR A TWO-PERSON HOUSEHOLD BASED ON 2013 CALIFORNIA INCOME LIMITS



# What is a Housing Element?



The State of California requires that every city make its regional fair share of land available for residential development. By State law, cities must identify how and where the housing needs of each community will be met by completing what's known as a Housing Element. Currently, all 21 jurisdictions in San Mateo County have adopted Housing Elements that have been certified by the California Department of Housing and Community Development (HCD) for the 2007-2014 planning period. Now, all 21 jurisdictions in the County are required to update their Housing Element for the 2014-2022 planning period.

The Housing Element is the blueprint for future housing development in the city. It includes goals, policies, and programs that direct residential decision-making. Under State law Housing Elements are required to:

1. Evaluate the City's existing housing policies and programs.
2. Conduct a housing needs assessment based on local demographics and housing conditions.
3. Develop goals, objectives and policies defining the community's position on housing issues and setting measurable targets for meeting housing needs.
4. Develop an inventory of potential sites where housing may be constructed.
5. Analyze any obstacles or constraints to housing production in the community.
6. Create an action plan identifying implementing programs the city or other entities will implement to achieve our housing objectives.

We believe the most reasonable and responsible way to create the Housing Element Update is to do so through an open, public process. The update will engage elected officials, appointed City commission and committee members, key stakeholders, planning specialists and all San Bruno residents who would like to help shape the future of the community (please see the graphic of the process and the schedule for the update). As you can see in the graphic, we are early in the process and your involvement now will be critical to helping ensure success in this effort.

*Please Mark Your Calendar!*

**Planning Commission  
Workshop on the  
City of San Bruno  
Housing Element Update**

**March 4, 2014 — 7:00 p.m.**

**Senior Center  
1555 Crystal Springs Road  
San Bruno, CA 94066**

Si usted necesita más información sobre este proyecto, por favor llame al (650) 616-7053, y pregunte por un asistente que hable español.

## Key Questions For You to Consider:

- Over the past five years, how has the housing situation in San Bruno affected you, your family and your friends?
- What can we do to further improve or adjust our policies to continue recent successes?
- How should emerging environmental issues, such as energy costs and global warming, affect the location and type of future housing?
- What type of housing options do seniors prefer? How about young adults and families? Can San Bruno provide these choices?
- How should this type of housing be provided? Who should pay for it?
- What messages about housing would you like to give to community decision makers?



**For Further Information  
Please Contact**

**Mark Sullivan  
Long-Range  
Planning Manager  
City of San Bruno  
650-616-7053  
msullivan@sanbruno.ca.gov**